

FORM TO BE USED BY A PRISONER IN  
FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF OHIO

FILED

APR 29 2019

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

Markus Hawkins

(Enter above the full name of the plaintiff in this action)

CIVIL CASE NO.

**1:19 CV 00953**

JUDGE

**JUDGE POLSTER**

**MAG. JUDGE BAUGHMAN  
COMPLAINT**

VS.

Armond Budish, Ken Mills,

Cliff Pinkney, Eric Ivey

Emily McNeely, Douglas Dykes

(Enter above the full name of the defendant(s) in this action)

I. Previous Lawsuits

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? YES ☐ NO ☒

B. If your answer to A is yes, describe the lawsuit in the space below, (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit

Plaintiffs

Defendants

2. Court (if federal court, name the district; if state court, name the county)

3. Docket Number

4. Name of judge to whom case was assigned

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5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)  
\_\_\_\_\_

6. Approximate date of filing lawsuit \_\_\_\_\_

7. Approximate date of disposition \_\_\_\_\_

II. Place of Present Confinement.

A. Is there a prisoner grievance procedure in this institution? YES ☒ NO ☐

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?  
YES ☒ NO ☐

C. If your answer is YES,

1. What steps did you take? I Sent several Kites Grievances  
a letters to the appointed personnel to No Avail.

2. What was the result? No one Responded  
\_\_\_\_\_

D. If your answer is NO, explain why not \_\_\_\_\_

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities?  
YES ☐ NO ☐

F. If your answer is YES,

1. What steps did you take? \_\_\_\_\_  
\_\_\_\_\_

2. What was the result? \_\_\_\_\_  
\_\_\_\_\_

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## III. Parties

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any).

A. Name of the Plaintiff Markus Hawkins  
 Address P.O. Box 5100 Cleveland, Ohio, 44101

(In item B below, place the full name of the defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Use item C for the names, positions and places of employment of any additional defendants).

B. Defendant Armond Budish is employed as  
Cuyahoga County Jail at 1200 Ontario St Cleveland, Ohio, 44113  
 C. Additional Defendants Ken Mills, Eric Ivey, Emily Mcnealey  
Cliff Pinkney Douglas Dykes

## IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separated paragraph. Use as much space as you need. (Attach extra sheet(s) if necessary).

I have been here since November 9<sup>th</sup> 2017 and during my time of being incarcerated and being forced to live in cruel and inhumane living conditions. I have experienced living in a cell with black mold, denial of mental health treatment, food trays smelling like feces, abuse from the county staff, forced to drink lead infested water, extensive hours of lockdown in my cell, finding insects inside my food, and being denied medical treatment. In my first few months here I became depressed due to the 1) combination of fighting with inmates and no action being

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## (Statement of Claim Continued)

taken the officers would encourage the fights saying "just make sure you close the door" 2) The multiple days at "Red Zone" which resulted in less to no time to shower, make attorney calls or calls to family/friends back home. As of right now I have spent no less than 60% of my days in "Red Zone". On 11/23/18 after being served lunch I discovered a insect in my food after making the complaint I was served a bologna sandwich and carrots for my replacement meal. 1/22/19 while being transported from Jail 2 to Jail 1 by Corporal Miller I was attacked by Miller and suffered a knee injury and was told to keep quiet about the incident and if I reported the attack to anyone I would spend the rest of my time in the hole. 3/23/19 in Jail 1 104 all the toilets from cells 13-20 were flooding with toilet water and human feces, I requested to be moved until the situation was handled and my request went ignored as I remained in my flooded cell (cell #194). Even now I am in a cell that is below room temperature as the county staff says that there is nothing they can do about it, I believe this is done to weaken my mental health to force me to not be able to focus on my case. I am very depressed here and have tried everything that I could do as a inmate here, just to be threatened to be put in the hole or locked-up in my cell. These inhumane living conditions has really started to wear me down now as I have become delusional, I'm starting to see things/people here in the county jail that was never here in the first place. This action here is my very deep and intense cry for help as I feel like I'm in a 3<sup>rd</sup> World prison fighting for survival with minimal chance of surviving.

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V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes).

I would like to be rightfully compensated for the  
cruel and unusual punishment I have suffered as well  
as a immediate release from this facility

Signed this 22<sup>nd</sup> day of April, 20 19

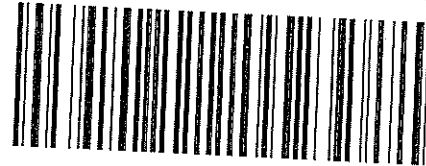
I declare under penalty of perjury that the foregoing is true and correct.

4/22/19  
(Date)

Charles H. H. H.  
(Signature of Plaintiff)

Markus Hawkins  
#0264641  
P.O. Box 5600  
Cleveland, OH 44101

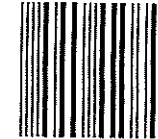
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Carl B. Stokes United States Courthouse  
801 West Superior Avenue  
Cleveland, OH 44113-1830